

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

THOMAS LAUMANN, FERNANDA GARBER, ROBERT SILVER, and PETER HERMAN, representing themselves and all others similarly situated,	)	12-cv-1817 (SAS)
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
NATIONAL HOCKEY LEAGUE et al.,	)	
	)	
Defendants.	)	
	)	
FERNANDA GARBER, MARC LERNER, DEREK RASMUSSEN, and ROBERT SILVER, representing themselves and all others similarly situated,	)	12-cv-3704 (SAS)
	)	
Plaintiffs,	)	
	)	
v.	)	ECF Cases
	)	
OFFICE OF THE COMMISSIONER OF BASEBALL, et al.,	)	<u>Electronically Filed</u>
	)	
Defendants.	)	
	)	

**DEFENDANTS' MOTION TO DISMISS THE COMPLAINTS**

Pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, Defendants hereby move to dismiss the Complaints in *Laumann et al. v. National Hockey League et al.* and *Garber et al. v. Office of the Commissioner of Baseball et al.* In support of this motion, Defendants submit herewith a Memorandum of Law as well as the Declarations of Paul M. Eckles and Thomas J. Ostertag. Pursuant to the Court's Individual Rules and Procedures, the parties have

exchanged pre-motion letters, but Plaintiffs have declined to withdraw or amend their Complaints.

Dated: July 27, 2012

Respectfully submitted,

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